

REMARKS

The remarks and the accompanying amendments are responsive to the Office Action mailed August 3, 2004 (hereinafter referred to as "the Office Action"), having a shortened statutory period for response that expired November 3, 2004. A petition and fee for a two-month extension of time extending the period for reply until January 3, 2005 accompanies this response. Claim 1 was the only claim pending at the time of the last examination. By this response, Claim 1 is amended, and new Claims 2 through 6 are added. Accordingly, upon entry of this amendment, Claims 1 through 6 (Claims 1 and 4 being independent) will be pending for further consideration.

Section 1 of the Office Action objects to Claim 1 due to an informality that is corrected by the amendments made herein to Claim 1.

Section 2 of the Office Action rejects Claim 1 as under 35 U.S.C. 102(e) as being anticipated by United States patent number 6,064,663 issued to Honkasalo et al. (hereinafter referred to as "Honkasalo"). The undersigned respectfully traverses and requests reconsideration.

As recited in Claim 1, the communication apparatus "determine[es] a number of radio frames of a fixed duration on a physical channel in accordance with a transmission rate of the physical channel". Furthermore, "the radio frames constitut[e] a unit by which processing of a logical channel is carried out." An example of such a logical channel is ACCH. The communication apparatus "map[s] the logical channel into the physical channel" and "transmit[s] a signal of the logical channel over the physical channel."

In contrast, the Honkasalo passages (i.e., Honkasalo, Column 4, lines 32-35; and Honkasalo, from Column 11, line 29 to Column 12, line 44) referred to in the Office Action and Figures 1A and 4A of Honkasalo also cited by the Office Action describe four sub-channels

(SC1 through SC4) being used in a single channel in accordance with the rate (i.e., 9.6 kbps, 19.2 kbps, etc.) of the data to be transmitted.

It seems that the Office Action rejection attempts to equate this "single channel" to the "physical channel" recited in Claim 1. However, the rate of the "single channel" of Honkasalo is constant. Therefore, Honkasalo does not describe, teach, or suggest a "number of radio frames of a fixed duration on a physical channel ... [which constitutes] a unit by which processing of a logical channel is carried out" is determined "in accordance with a transmission rate of the physical channel" as recited in Claim 1. Accordingly, Claim 1 is not anticipated by Honkasalo, and the rejection should be (and is requested to be) withdrawn.

Claim 4 recites similar features and thus is also not anticipated by Honkasalo. Claims 2 and 3 depend, directly or indirectly, from Claim 1, and are thus not anticipated by Honkasalo for at least the reasons provided for Claim 1. Likewise, Claims 5 and 6 depend, directly or indirectly, from Claim 4, and are thus not anticipated by Honkasalo for at least the reasons provided for Claim 4.

Therefore, favorable action is respectfully requested. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 29th day of December, 2004.

Respectfully submitted,



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